

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DAVID SHAVER and JEAN M. FOISSAC

MAILED

MAR 30 2007

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Application 10/789,444

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on January 8, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

On August 23, 2006, the Examiner entered an Examiner's Answer. On page 3, section (8) entitled "Evidence Relied Upon," the Examiner relies upon French Patent 2797559 to Gaudru. However, a review of the record reveals that there is no full-text translation of the afore-mentioned French patent but, rather, a Derwent abstract publication.

Application No. 10/789,444

Accordingly, it is

ORDERED that the application is returned to the Examiner to provide a full-text translation of French Patent 2797559 to Gaudru, to provide Appellants a copy of said translation, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
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PJN:clj

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